

# **EXHIBIT 3**

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

In the Matter of the Petition	:	
	:	CIVIL ACTION NO.: 22-7383
of	:	
	:	<b>ORDER APPROVING AD</b>
NEW YORK CITY BOAT TOURS, LLC and	:	<b>INTERIM STIPULATION</b>
EDWARD MATTIACE, as Owner of the 36'	:	<b>FOR VALUE, DIRECTING</b>
uninspected passenger vessel, "HONCHO"	:	<b>ISSUANCE OF NOTICE</b>
bearing Hull Number HEB00069G585	:	<b><u>AND ENJOINING ACTIONS</u></b>

A Petition having been filed herein on December 6, 2022, by the above-named Petitioners, as Owners of the 36' uninspected passenger vessel "HONCHO" (HIN HEB00069G585), and seeking exoneration from or limitation of liability pursuant to 46 U.S.C. § 30501 *et seq.* (formerly 46 U.S.C. § 181 *et seq.*), and the statutes supplemental thereto and amendatory thereof, and Rule F of the Supplemental Rules for Admiralty or Maritime Claims of the Federal Rules of Civil Procedure, for any loss, damage, injury or death caused by or resulting from a collision between the HONCHO and the FDNY vessel MARINE 1 BRAVO on the East River that occurred on June 17, 2022, as more fully described in the Petition;

AND the Petition having stated the facts and circumstances upon which exoneration and limitation are claimed, and it appearing that claims may be made against the Petitioners in an amount that will exceed the amount or value of the Petitioners' interest in the said vessel after the incident and her pending freight;

AND an *Ad Interim* Stipulation for Value dated December 7, 2022, executed by Atlantic Specialty Insurance Company, in the sum of \$25,000.00 having been filed by Petitioners for the benefit of all claimant(s) herein as security for the payment of all claims and Court costs that may be awarded against the Petitioners or the said vessel in this proceeding;

NOW, on application of Nicoletti Hornig & Sweeney, attorneys for Petitioners, it is

ORDERED that the above-described *Ad Interim* Stipulation for Value filed by the Petitioners for the benefit of claimant(s) in the sum of \$25,000.00 with interest as security for the amount or value of Petitioners' interest in the said vessel after the incident and her pending freight and court costs be, and the same hereby is, approved pending further appraisalment as may be ordered by the Court upon motion and good cause shown pursuant to Supplemental Rule F(7); and it is further

ORDERED that a Notice shall be issued by the Clerk of this Court to all persons asserting claims with respect to which the Petition seeks exoneration or limitation admonishing such persons to file their respective claims with the Clerk of this Court in writing, and to serve on the attorneys for the Petitioners a copy thereof on or before the \_\_\_\_\_ day of \_\_\_\_\_, 2023, or be defaulted, and that if any claimant desires to contest either the right to exoneration from or the right to limitation of liability, that claimant shall also file with the Clerk of this Court and serve on the attorneys for the Petitioners an answer to the Petition on or before the said date unless the claim includes an answer, so designated, or be defaulted; and it is further

ORDERED that the aforesaid notice shall be in the form of the notice attached hereto as Exhibit A, and that the said notice shall be published as provided by Supplemental Rule F(4) in New York Metro edition for the New York Daily News, and copies of the notice shall be mailed in accordance with Supplemental Rule F(4); and it is further

ORDERED that the further prosecution of any and all suits, actions and proceedings now pending, and the institution of any and all suits, actions or proceedings of any nature or description whatsoever in any jurisdiction, and the taking of any steps and the making of any motion in such suits, actions or proceedings against the Petitioners, or against the said vessel, except in the present proceeding, in respect of any loss, damage, injury or death arising out of the said incident or trip involving the vessel as alleged in the Petition, be and they hereby are restrained, stayed and enjoined until the hearing and determination of this proceeding; and it is further

ORDERED that service of this Order as a restraining order may be made through the United States Postal Service by mailing a conformed copy of this Order to all known claimants, or to their respective attorneys, or alternatively by electronic mail.

Dated: Brooklyn, New York  
\_\_\_\_\_, 2023

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Hon. Nicholas G. Garaufis  
United States District Court Judge